

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11991 of 2020

Arising Out of PS. Case No.-489 Year-2019 Thana- COMPLAINT CASE District-
Kishanganj

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Md. Ashfaque @ Ashfaque Alam Noori @ Asfaque Alam Son of Md. Inamuddin @ Md. Inamul Haque Noori Resident of N.S. Road, Churipatty Bazar, Police Station and Post Office-Islampur, District-North Dinajpur (W.B.)-733202.

... .. Petitioner

Versus

1. The State of Bihar
2. Rizwana Firdoshi Wife of Md. Ashfaque @ Ashfaque Alam Noori and daughter of Fazle Karim, Resident of Village-Bashir Nagar, Police Station & Post Office-Thakurganj, District-Kishanganj-855115.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Syed Masleh Uddin Ashraf, Advocate
For the Opposite Party : Mrs. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner; learned Additional Public Prosecutor appearing on behalf of the State as well as learned counsel appearing on behalf of the opposite party no. 2.

The petitioner, who is the husband of the complainant, is apprehending arrest in connection with Complaint Case No. 489 of 2019 for offences under Section 498A of the Indian Penal Code.

The allegation against the petitioner is that he has tortured opposite party no. 2 for non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and marriage between the petitioner and opposite party no. 2 took place about two years ago. The petitioner is ready to keep his wife (opposite party no. 2) with



full honour and dignity.

Learned counsel appearing on behalf of the complainant that she is ready to stay with husband (petitioner) in order to restore normalcy in conjugal life between the petitioner and opposite party no. 2.

Considering the aforesaid and in order to restore normalcy in conjugal life between the petitioner and opposite party no.2, this Court is inclined to grant bail to him. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Kishanganj in connection with Complaint Case No. 489 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In the event the petitioner neglects, misbehaves or torture the complainant (opposite party no. 2), the court below shall be at liberty to cancel his bail bond.

(Anil Kumar Upadhyay, J)

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